S.B.Cr.Misc. IInd Bail App. No.4717/2007

(Ram Lal vs. State of Rajasthan)

Date of order : November 19, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Ramesh Purohit, for the petitioner.
Mr.Ashok Upadhyaya,, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

This is second bail application. The first bail application came to be dismissed on 3.9.2007 as it was not pressed by the learned counsel for the petitioner since the matter was at the investigation stage. However, a liberty to file a fresh bail application after filing of the challan was granted. Now the challan has been filed.

It is contended by the learned counsel for the petitioner that the alleged contraband opium recovered is slightly higher than the small quantity but much less than the commercial quantity and the petitioner is in custody since July, 2007.

Having regard to the facts and circumstances of the case

and the fact that the alleged contraband recovered is slightly higher than the small quantity but much less than the commercial quantity and the petitioner is in custody since July, 2007, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ramlal s/o Khema Ram be released on bail in FIR No.92/2007, P.S., Kotadi provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-